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SUBJECT: May 4 EU Ministerial on the Role of Internal Security in Relations between the EU and its neighbors

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THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED.

**¶1.** (SBU) Summary. Over 50 states and international organizations attended the May 4-5 Austrian Presidency sponsored Internal Security Ministerial, designed in part to implement the EU JHA External Strategy paper adopted in December 2005. A U.S. delegation led by Attorney General Gonzales, who was accompanied by DHS Deputy Secretary Jackson participated as observers, as did a Russian delegation. The EU Ministerial followed the first-ever informal meeting of the U.S., Russia and the EU to discuss possible tripartite cooperation in the field of Justice and Home Affairs. (see SEPTEL) The meeting produced a Vienna Declaration on Security Partnership (see para 10) and the signing of a Police Cooperation Convention for SouthEast Europe meant to expand cooperation between the EU and police forces in Albania, Bosnia-Herzegovina, Macedonia, Moldova, Montenegro, Romania and Serbia. The Attorney General delivered a statement (sent via e-mail to JHA Washington addresses) which noted some differences of approach between the EU and U.S. to the global issues of terrorism and organized crime and corruption, but urged expanded international cooperative efforts to combat these problems. End Summary.

**¶2.** (SBU) Austrian Interior Minister Prokop opened the discussion by noting that current threats such as terrorism and organized crime and corruption required an international response. This was the basis of the JHA External Strategy paper adopted in December and the focal point of the EU Ministerial. EU Commissioner Frattini outlined the Commission's efforts to link visa facilitation with readmission agreements and other methods to secure border security and combat illegal immigration while advancing security partnerships. External Affairs Commissioner Feraldo-Waldner argued that by helping neighbors in accord with its European Neighbor Policy (ENP), the EU was helping itself. She urged a particular focus on good governance and economic reform.

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Panel 1 - Asylum and Migration  
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**¶3.** (SBU) The Slovenian Minister of the Interior chaired the first panel discussion on asylum and migration with Commissioner Frattini urging that the issue of immigration be treated as a whole with an emphasis on both border security and the root causes of migration in source countries. In particular he urged that trafficking victims

be protected. Representatives from Russia, Turkey, the UK, Libya, Albania, Bosnia, Azerbaijan, Jordan, Greece, Syria, Morocco, Malta, the European Parliament (EP), Tunisia, IOM, OHR commented during the debate, mostly describing their own efforts to combat illegal immigration. The Libya representative emphasized the need to deal with the root causes of migration, while the Jordanian stressed that both countries of origin and receiving countries must benefit from proposed solutions. Malta suggested the establishment of a fund to assist those struggling with the problem and the representative of the EP called for the Commission to rethink its approach to the problem.

¶4. (U) Conclusions from the debate were summarized by the Slovenian chair and are contained in the relevant section of the Vienna Declaration.

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Panel 2 - Organized Crime and Corruption  
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¶5. (SBU) Russian Minister of the Interior Nurgaliev delivered his general statement calling for more international cooperation against organized crime and corruption that was increasingly becoming global and acting in the economic sphere. He said Russia was committed to closer law enforcement cooperation with the EU and UK and described Russia's current cooperation with Finland on their joint border. He invited countries to attend an anti-terrorist training exercise in Novosibersk in November and stated that Russia was also willing to provide border security training, especially to Central Asian states. He described Russian cooperation with France, Spain and Israel with regard to money-laundering and urged greater international cooperation in the fight against TIP, noting that there were sometimes procedural problems prosecuting organizers in neighboring countries which might be resolved

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by improved and more efficient data exchange, utilizing EUROPOL and INTERPOL. Concluding he urged greater harmonization of national legislation in this area and improved analysis and information exchange.

¶6. (SBU) The Finnish Chairman cited the Baltic Sea Task Force and the Prune Treaty as two excellent examples of international cooperation against organized crime and urged greater use of public/private partnerships to combat crime and terrorism. Commissioner Frattini agreed on the need to strengthen analysis and to use a common statistical database in the fight against crime. He described EU efforts to harmonize national legislation and to implement the TIP EU action plan. UNODC chief urged the EU to export security and focus on a prevention strategy. The Norwegian representative cited the need for a) transparency; 2) relevant laws and enforcement; and 3) the protection of investigators in the fight against corruption.

¶7. (SBU) Turkey, Georgia, Germany, the UK, Albania, the EP, Montenegro, the Netherlands, Macedonia, Bosnia, Lebanon, Libya, Greece, Poland, France, Jordan, and the Council of Europe also spoke on this subject, primarily to describe the actions they have taken against organized crime and corruption. Georgia discussed the phenomenon of "criminals-in-law" and warned that the influence of the Russian mafia was spreading. Germany singled out the problem of Afghan drug trafficking. Albania noted that it was attempting to deal with this "inherited problem." The EP stressed that TIP was increasing and urged that authorities deal with the "demand problem." The Netherlands urged that we use the instruments we have now more effectively and stressed the importance of intelligence assessments. Lebanese representative noted the effects of political and cross-border terrorism, as well as assassination.

¶8. (U) The Finnish Chairman summarized the conclusions and

asked that they be included in the Vienna Declaration.

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U.S. Statement  
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¶9. (U) Attorney General Gonzales delivered the U.S. statement (e-mailed to JHA addresses) in which he contrasted the differences of approach between the EU and U.S. in their respective fight against terrorism, but noted the our common objectives were very similar. He urged even greater international cooperation in the future.

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Panel 3 - Combating Terrorism  
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¶10. (SBU) The Portuguese Chairman introduced EU Commissioner Frattini who described the EU's counter-terrorist strategy in terms of a) prevent; b) protect; c) pursue; and d) respond, indicating the need to explore the real roots of radicalization and recruitment, protect critical infrastructure and make full use of EUROJUST and EUROPOL. He again stressed victim protection as an important element of the strategy.

¶11. (SBU) The Ukraine, Lebanon, Azerbaijan, Bosnia, the EP, Syria, Turkey, France, Russia, Serbia, Egypt, Albania, Luxembourg, Israel, the Netherlands, Armenia, Hungary, Council of Europe, Libya, and the UK spoke on this issue. Lebanon urged that the huge injustices which fueled radicalization, especially those against the Palestinians, must be addressed. Syria said that it had suffered greatly from terrorism and urged that a distinction be made between "terrorists and freedom fighters." Turkey described its new anti-terrorist legislation, particularly those related to victim compensation. France singled out police cooperation as being particularly in the fight against terrorism. Russia emphasized the need to prevent terrorists from obtaining non-conventional weapons and WMD. With regard to Chechnya, he said that political and social institutions were being developed, but there was still resistance, some of its stemming from foreign ideologies, Serbia said that so-called freedom fighters on its borders were actually terrorists and asserted that Al-Qaeda cells were being developed in the region.

¶12. (SBU) Noting that EU members had not spoken much in the debate, Luxembourg Minister Frieden said that EU Counter-terrorist policy was based on the need for efficient and

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effective international cooperation with states which observed the rule of law and an independent judiciary; he urged a better definition of who our enemies are, strengthen EU institutions, and an internal debate on how to handle those suspected of terrorist activities. Israel said it was glad to be speaking among its Euromed partners, which was where it belonged and said that Israel supported dialogue and did not link terrorism to any particular religion. He supported the aims of the meeting, but said that it was important to combine words with deeds, noting that one EU member state apparently was granting a visa to Hamas. The Council of Europe representative outlined the various anti-terrorist conventions and urged that they be signed and ratified. Libya stated its concern that the previous situation in Afghanistan where terrorists left that country to export terrorism elsewhere was repeating itself. He urged that terrorists not be given a pretext such as foreign occupation for their actions.

¶13. (U) The Portuguese chair then summarized the debate and asked that it be included in the Vienna Declaration. Representatives of future Council Presidencies then outlined their priorities in the field of JHA with Finland stating that it intended to increase the visibility of JHA issues

during its Presidency, particularly those related to a common asylum system, external relations and border security, expanded use of the availability principle and data exchanges and Schengen assessments, particularly those for the Baltics. The German representative said that Germany would stress continuity, but focus on "security for citizens." Portugal said it wished to eradicate internal border controls vis--vis the new member states and reinforce EU-Africa JHA cooperation, especially in sub-Saharan Africa. Slovenia, as the first of the new member states to assume the Presidency (in January 2008) said it also planned to focus on the Western Balkans and continued EU-U.S.-Russian cooperation.

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The Vienna Declaration  
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¶14. (U) There follows the text of the Vienna Declaration:

"Vienna Declaration on Security Partnership"  
A Ministerial Conference on the "Role of Internal Security in Relations between the EU and its Neighbours" was held on 4-5 May 2006 in Vienna, Austria.

At the initiative of Austria as the current Presidency of the EU Council, Member States of the European Union and its neighbouring countries met to discuss issues of common interest in relation to internal security.

The Neighbouring Arab Countries participated in the Conference. They emphasized that security is an issue of common interest. They expressed the importance of partnership for security with the EU in accordance with their respective objectives and priorities. They also underlined the need for further consultations on the modalities for such partnership.

The Russian Federation and the United States of America, as strategic partners of the European Union, participated in the Conference as observers.

The Conference expressed the common wish to develop a "Partnership for Security" in order to work towards an enhanced area of Freedom, Security and Justice.

Part I

General principles / Key elements

In order to meet the expectations of our citizens we must respond to the security threats of terrorism, organised crime, corruption and drugs and to the challenge of managing migration flows. In an increasingly interconnected world, cooperation in the field of justice and home affairs will become ever more important.

The Austrian EU Presidency therefore took the opportunity to bring together the EU, its Member States and neighbouring countries, as well as the Russian Federation and the United States of America as observers. This dialogue is a step in implementing the Strategy for the External Dimension of

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freedom, security and justice recently adopted by the European Union, together with the action-oriented papers on the Western Balkans and relevant ENP countries as well as on Afghanistan.

This process culminated in the present Vienna Ministerial Conference on 4-5 May 2006, with Ministers and representatives from more than 50 countries and international organisations, as the expression of the increasing role of internal security in external relations.

The development of an area of enhanced freedom, security and justice can only be successfully achieved through relationships based on mutual partnership between the European Union and its partners. To address the common security challenges in the 21st century, the participants in the Conference expressed their common wish to develop a "Partnership for Security", based on mutual trust and common interest. Such a partnership between interested countries will be future and action oriented, and based on the following key principles:

Definition of concrete areas of common interest in the fields of combating terrorism, organised crime, corruption as well as in the field of management of migration flows.

Coordinated engagement, mutual understanding and cooperation in order to tackle common problems and meet shared policy objectives in the field of justice and home affairs.

Efforts to make justice and home affairs a shared priority in external relations, including through a coordinated engagement in the work of relevant international organisations (United Nations, Council of Europe, OSCE). Work towards action oriented solutions, especially on terrorism, organised crime, corruption and illegal immigration.

Applying a differentiated and flexible approach, including a multi-disciplinary assessment of needs.

Promoting rule of law, democracy, fundamental rights and good governance seen also as a means of bolstering security.

Mobilisation of political, financial and operational resources to work towards common objectives.

Internal and external security are closely related. Therefore priorities for future engagement should be formed by both, the partners' internal and external policy objectives.

The Conference especially emphasizes that the

European Neighbourhood Policy offers a coherent framework for cooperation on security-related matters with the EU.

prospect of closer cooperation with the EU is an effective way to align with common international standards in justice and home affairs.

In an increasingly global economy, effective co-operation on justice and home affairs issues also supports the Partners' economic and trade objectives, by providing a political and legal environment conducive to economic development and the development of international commercial links.

## Part II

The Conference focused on three priority areas: combating terrorism, organised crime and corruption and migration/asylum. Along the lines of the principles identified above, concrete measures and actions have been identified and agreed. They are briefly spelled out under each chapter hereinafter.

### Combating terrorism

Recent terrorist atrocities underline the fact that it is no longer useful strictly to distinguish between internal and external security, and that terrorism is increasingly trans-national in nature. As a consequence, international co-operation to prevent and fight terrorism should be a fundamental element of external relations.

The Conference has identified the following measures to be implemented within the field of combating terrorism:

Common efforts to prevent terrorism by measures against

radicalisation and recruitment, especially considering the need to develop further the dialogue between cultures and religions.

Improving the exchange of information with all countries to identify terrorists, disrupt their activities and to bring them to justice.

Joint efforts for a comprehensive convention against terrorism within the UN as well as the implementation of the existing UN Conventions against Terrorism.

Cooperation in the field of critical infrastructure protection.

#### Organised crime and corruption

Organised and serious crime increasingly acts across borders. This results in a terrible cost for individuals. The Conference has identified the following measures to be implemented within the field of organised crime and corruption:

Need for increased and targeted training of national law enforcement officers, prosecutors and judges.

Capacity building assistance to third countries.

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Need for harmonisation of measures to protect victims, in particular trafficked women and children, in accordance with the applicable EU, Council of Europe and UN instruments.

Development of efficient and fast practical cooperation in fighting trafficking in human beings, smuggling of drugs as well as small arms.

Use the expertise and capacities of relevant bodies like Europol and Eurojust.

#### Migration / Asylum

The Conference recognises that global migration, including the problem of illegal immigration, presents particular challenges. Managed effectively migration can have a substantial positive impact both for host and source countries and for migrants. However, it is essential to tackle the problem of illegal immigration and to prevent and fight the trafficking in human beings, while at the same time to protect the human rights of migrants.

The Conference has identified the following measures to be implemented within the field of migration and asylum:

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Establishment of closer cooperation on migration issues with countries and regions of origin, transit and destination, including cooperation in asylum management, based on international standards, good practices and common procedures.

Intensification of cooperation on capacity building with the countries concerned to develop national legal procedures and guarantees corresponding to international law.

A clear commitment to increase mutual cooperation, to improve security standards of travel documents and to introduce biometrics in travel documents.

Support to the establishment of functional border control systems and to the joint approach in training of police, frontier guards and customs.

Use of the expertise and capacities of existing relevant bodies.

Conclusion and implementation of mutual Readmission Agreements.

Deepening of dialogue and intensification of the partnership between the EU and key source countries and regions, in particular with African countries, countries in the eastern neighbourhood of the EU and regional

organisations.

Promotion of public awareness in countries of origin, transit and destination on opportunities and limitations as well as rights and obligations concerning migration.

### Part III

Austria as the current Presidency of the Council of the European Union will report on the results of the Ministerial Conference, held on 4-5 May 2006 in Vienna, to the Council

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of Justice and Home Affairs Ministers of the EU as well as to the European Council in June 2006.

The agreed Partnership for Security should especially be implemented through initiatives based on a differentiated and flexible approach to individual countries and regions, including a multi-disciplinary assessment of need.

MCCAW